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*Attorneys for Defendants, Curtis Circulation  
Company, Hudson News Company, Wal-Mart  
Stores, Inc., Chas Levy Circulating Co., LLC,  
Anderson News LLC, Magazine Distributors,  
Incorporated, The News Group, Inc. and  
Gopher News Company.*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SLY MAGAZINE, LLC,

*Plaintiff,*

v.

CURTIS CIRCULATION COMPANY,  
et al.,

*Defendants.*

Civ. No. 07-06265 (DAB)

**DECLARATION OF SUSAN J. KOHLMANN IN SUPPORT OF  
DEFENDANTS' MOTION TO DISMISS**

I, Susan J. Kohlmann, hereby declare as follows:

1. I am a member of the Bar of this Court and a partner at Jenner & Block LLP. I make this declaration in support of Defendants' Motion to Dismiss Plaintiff's Complaint in its entirety.

2. For the Court's convenience, I attach true and correct copies of the following documents referenced in Defendants' Memorandum in Support of Defendants' Motion to Dismiss Plaintiff's Complaint in its entirety as SJK Ex. \_\_:

Ex. 1: Pages from the transcript of the hearing of the preliminary injunction motion held in *Sly Magazine, LLC v. Weider Publications, L.L.C. and American Media*, 05 Civ. 3940 (S.D.N.Y.) (hereinafter "*Weider*") on December 27, 2005;

Ex. 2: Judge Casey's Opinion & Order in *Weider* dated April 9, 2007;

Ex. 3: Joint Pre-Trial Order in *Weider* dated July 20, 2007;

Ex. 4: Pages from the transcript of the deposition of Ruby Charles taken in *Weider* on January 9, 2006;

Ex. 5: Pages from the transcript of the deposition of Jason Gerdes taken in *Weider* on January 11, 2006;

Ex. 6: Pages from the transcript of the deposition of John D. Swider taken in *Weider* on December 13, 2005;

Ex. 7: The Declaration of Ruby Charles filed in *Weider* dated December 9, 2005;

Ex. 8: Exhibit J to the Declaration of Ruby Charles filed in *Weider*;

Ex. 9: Exhibit K to the Declaration of Ruby Charles filed in *Weider*;

Ex. 10: Exhibit L to the Declaration of Ruby Charles filed in *Weider*;

Ex. 11: Exhibit M to the Declaration of Ruby Charles filed in *Weider*;

Ex. 12: Exhibit N to the Declaration of Ruby Charles filed in *Weider*;

Ex. 13: Exhibit O to the Declaration of Ruby Charles filed in *Weider*;

Ex. 14: The Declaration of Michael B. Kahane filed in *Weider* dated December 20, 2005;

Ex. 15: The Declaration of Susan J. Kohlmann filed in *Weider* dated December 20, 2005;

Ex. 16: Exhibit A to the December 20, 2005 Declaration of Susan J. Kohlmann filed in *Weider*;

Ex. 17: Exhibit B to the December 20, 2005 Declaration of Susan J. Kohlmann filed in *Weider*;

Ex. 18: Exhibit D to the December 20, 2005 Declaration of Susan J. Kohlmann filed in *Weider*;

Ex. 19: The Declaration of Susan J. Kohlmann dated March 17, 2006 filed in *Weider*;

Ex. 20: Exhibit F to the March 17, 2006 Declaration of Susan J. Kohlmann filed in *Weider*;

Ex. 21: Exhibit G to the March 17, 2006 Declaration of Susan J. Kohlmann filed in *Weider*;

Ex. 22: Exhibit H to the March 17, 2006 Declaration of Susan J. Kohlmann filed in *Weider*;

Ex. 23: Exhibit L to the March 17, 2006 Declaration of Susan J. Kohlmann filed in *Weider*;

Ex. 24: Exhibit M to the March 17, 2006 Declaration of Susan J. Kohlmann filed in *Weider*;

Ex. 25: The Declaration of John D. Swider filed in *Weider* dated December 20, 2005;

Ex. 26: Exhibit A to the Declaration of John D. Swider filed in *Weider*;

Ex. 27: Exhibit B to the Declaration of John D. Swide filed in *Weider*;

Ex. 28: Exhibit C to the Declaration of John D. Swider filed in *Weider*;

Ex. 29: Exhibit D to the Declaration of John D. Swider filed in *Weider*;

Ex. 30: Exhibit E to the Declaration of John D. Swider filed in *Weider*;

Ex. 31: Declaration of Adrienne Raps dated August 8, 2007 in Opposition to Defendants' Motion for Summary Judgment in *Weider*;

Ex. 32: Exhibit 17 to the Declaration of Adrienne Raps filed in *Weider*;

Ex. 33: Exhibit 18 to the Declaration of Adrienne Raps filed in *Weider*;

Ex. 34: Declaration of Ruby Charles dated August 8, 2007 in Opposition to Defendants' Motion for Summary Judgment in *Weider*;

Ex. 35: Exhibit A to Declaration of Ruby Charles filed in *Weider* dated August 8, 2007;

Ex. 36: Complaint in *Weider*;

Ex. 37: Complaint in *Sly Magazine, LLC v. Curtis Circulation Company*, et al., Civ. No. 07-06265 (DAB).

Dated: September 17, 2007

By: /s Susan J. Kohlmann  
Susan J. Kohlmann